

LUKAS, NACE, GUTIERREZ & SACHS
CHARTERED
1111 NINETEENTH STREET, N.W.
SUITE 1200
WASHINGTON, D.C. 20036
(202) 857-3500

RUSSELL D. LUKAS
DAVID L. NACE
THOMAS GUTIERREZ
ELIZABETH R. SACHS
GEORGE L. LYON, JR.
JOEL R. KASWELL
PAMELA L. GIST
DAVID A. LAFURIA
MARILYN SUCHECKI MENSE
B. LYNN F. RATNAVALE
TODD SLAMOWITZ
DAVID M. BRIGLIA
STEVEN M. CHERNOFF

* NOT ADMITTED IN D.C.

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEROY A. ADAM
LEILA REZANAVAZ
—
OF COUNSEL
JOHN J. MCAVOY
J.K. HAGE III+
LEONARD S. KOLSKY+
HON. GERALD S. MCGOWAN

TELECOPIER
(202) 857-5747

<http://www.fcclaw.com>

WRITER'S DIRECT DIAL

(202) 828-8434
tslamowitz@fcclaw.com

January 15, 2004

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

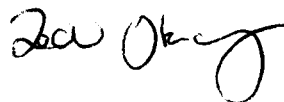
Re: **CC Docket 94-102**
Enhanced 911 Tier III Interim Report
N.E. Colorado Cellular, Inc.

Dear Ms. Dortch:

On behalf of N.E. Colorado Cellular, Inc. there is transmitted herewith a narrative statement regarding the company's E-911 deployment and implementation status. The filer is a Tier III carrier submitting its Interim Report in accordance with the provisions of the Commission's *Order to Stay*, CC Docket 94-102, FCC 03-241 (rel. October 10, 2003), as well as the Commission's Order in *Revision of Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket 94-102, Order To Stay (rel. July 26, 2002) and the subsequent FCC Public Notice released June 30, 2003, DA 03-2113.

If questions arise with regard to this filing, please contact the undersigned.

Very truly yours,



Todd Slamowitz

Northeast Colorado Cellular, Inc.

January 15, 2004

Interim Report of the Status of Enhanced 911 Phase II Compliance

Item I: Number of Phase I and Phase II Requests from PSAPs

Northeast Colorado Cellular, Inc. ("NECC") provides wireless service in rural parts of Colorado and Nebraska.¹ In Colorado, NECC has received Phase I PSAP requests and deployed Phase I service in four of the nine PSAPs within its service area. NECC has recently received a Phase II PSAP request from Morgan County, Colorado. Additional requests from three Phase I Colorado counties is expected in February, 2004. NECC has been communicating regularly and has a good working relationship with all the PSAPs within its service area. In Nebraska, NECC has received Phase I PSAP requests and deployed Phase I service in five of the eleven PSAPs within its service area. It has not received any Phase II PSAP requests from Nebraska. A Phase II request for the five Phase I counties currently served is expected in May, 2004.

Item II: Carrier's Specific Technology Choice

Colorado Phase II Issues

As the Commission is aware, AMPS does not support a handset solution and the Motorola switching system supporting the AMPS product line does not support a Network Phase II solution. Nor are there any GSM compatible E911 handsets currently available. Therefore, at this time, NECC plans on deploying a network-based solution for both the GSM network only. NECC is aggressively migrating current AMPS subscribers to GSM technology. It is expected that by year end that 70% of the current AMPS subscriber base will be migrated to GSM. Because of the rural nature of its service area, NECC anticipates that it will have difficulty in meeting the strict location accuracy standards set forth in Section 20.18(h)(1) of the Commission's rules for network-based carriers. In certain areas, NECC believes it will not be able to obtain the proper cell site triangulation to obtain accuracy data. Hence, NECC will work with the PSAPs regarding the location accuracy data that it will be able to achieve. Additionally, NECC is seeking relief from the Commission of the location requirements.

Nebraska Phase II Issues

In Nebraska, where NECC is constructing a new GSM network to serve its newly licensed territory, accuracy issues are more problematic. Currently Interstate 80 in Nebraska has coverage but

¹ NECC's Nebraska licenses were previously held by its affiliate Wireless II, L.L.C. Hence, the E911 Report filed August 1, 2003 was filed under the name of Wireless II, L.L.C.

the building out of off-road coverage has just begun. Meeting triangulation accuracy standards is not possible in the early stages but will improve as more and more towers are installed. Nebraska will require about three-hundred (300) towers for an approximate cost of \$6 million. As NECC is currently operating at a cash flow deficit with respect to its Nebraska system, it believes it will take six years to recoup the costs without state assistance. Further, NECC believes that it is of vital interest to the community to first have coverage. Without coverage, 911 service of any kind cannot function. As such, NECC seeks relief from accuracy standards during the four year build out process.

Item III: Status on ordering and/or installing network equipment.

NECC has worked with True Position and Grayson. Designs for its current GSM coverage areas are to be completed by January 20, 2004, which is necessary to continue to provide service in rural areas where few wireless options are available. No product is currently compatible with the Motorola AMPS system. Due to this product gap, NECC is in the process of aggressively migrating its AMPS customers to its GSM network and expects to have 70% of its customers migrated to GSM by the end of 2004. Currently Nokia does not have an internal Phase II solution. As such, if NECC is forced to install a Phase II solution before November 1, 2004 and external signaling component will have to be purchased and then later replaced with the Nokia integrated solution. NECC will petition the FCC to grant us a delay in installing any Phase II solution until November, 2004. Nokia has informed NECC that they will have a viable Phase II long-term switch-based solution for its GSM network that can be installed and implemented to meet a November 2004 deadline.

Item IV: ALI-Capable Handset Availability

As stated above, no E911 handset solution exists for AMPS and GSM networks. Hence, the only alternative solution for NECC at this time is a network-based solution, which will not be able to meet the Commission's strict location accuracy requirements.

Item V: Estimated date on which Phase II service will first be available

NECC estimates that Phase II service will first be available on its GSM network by November 2004. Triangulation accuracy and product availability will be two major hurdles to overcome in deployment of Phase II service by such a date. Additionally, staffing necessary to implement Phase II deployment will be a major constraint as NECC will also be constructing its end-to-end digital coverage in its Colorado and Nebraska markets.

Item VI: Information on whether the carrier is on schedule to meet the ultimate implementation date of December 31, 2005.

NECC will be able to continue to improve accuracy and add GSM Phase II areas as new sites are constructed in Phase II areas. As such all valid requests for Phase II service will be fully implemented by NECC to meet the December 31, 2005 date. The issue will be accuracy in fringe areas and those areas not completely constructed.

AFFIDAVIT

County of Morgan

)

)

SS:

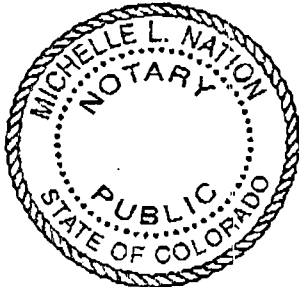
State of Colorado

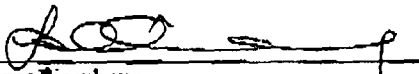
)

I, Larry Aisenbrey, having been first duly sworn, depose and state as follows:

1. I am the General Manager for Northeast Colorado Cellular, Inc.
2. I am familiar with the facts contained in the foregoing Interim Report of the status of Enhanced 911 Phase II compliance, and I verify that those facts are true and correct to the best of my knowledge and belief, except that I do not and need not attest to those facts which are subject to official notice by the Commission.

I declare under penalty of perjury that the foregoing is true and correct.





Larry Aisenbrey
General Manager
Northeast Colorado Cellular, Inc.

Subscribed to and sworn to before me
this 14th day of January, 2004.



Notary Public

My commission expires:
MY COMMISSION EXPIRES 05/20/2005

CERTIFICATE OF SERVICE

I, Steven McCord, an employee in the law offices of Lukas, Nace, Gutierrez & Sachs, Chartered, do hereby certify that I have on this 15th day of January, 2004, sent by hand-delivery, a copy of the foregoing Enhanced 911 Tier III Interim Report of N.E. Colorado Cellular, Inc. to the following:

John Muleta, Chief*
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3 C252
Washington, D.C. 20554

David Solomon, Chief*
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W., Room 7-C485
Washington, D.C. 20554

D'wana Terry, Chief*
Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3-C133
Washington, D.C. 20554

Jennifer Tomchin, Legal Advisor*
Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3-C400
Washington, D.C. 20554

Eugenie Barton*
Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3-A104
Washington, D.C. 20554

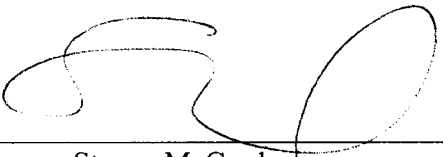
Robert M. Gurss
APCO International
1725 DeSales Street, NW, #808
Washington, D.C. 20036

James R. Hobson
Miller & Van Eaton, P.L.L.C.
1155 Connecticut Ave. N.W., Suite 1000
Washington, D.C. 20036
Counsel for NENA and NASNA

John Ramsey, Executive Director
APCO International, Inc. World Headquarters 351 N. Williamson Blvd.
Daytona Beach, FL 32114-1112

Terry Peters, Executive Director
NENA
4350 N. Fairfax Drive, Suite 750
Arlington, VA 22203

Evelyn Bailey, Executive Director, NASNA
Vermont Enhanced 9-1-1 Board
94 State Street
Drawer 20
Montpelier, VT 05620-6501


Steven McCord

*via hand-delivery